

Misbranding was alleged for the reason that the statement appearing on the label of the article, "Pure Cider Vinegar made from Apples," was false and misleading so as to deceive and mislead the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 30, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8776. Adulteration of Lima beans. U. S. * * * v. 306 Bags and 18 Bags of Lima Beans * * * Madagascar. Consent decree of condemnation and forfeiture as to the 306 bags. Product ordered released on bond for repicking. Default decree of condemnation, forfeiture, and destruction as to the 18 bags. (F. & D. Nos. 13159, 13159-a, I. S. No. 9963-r, S. No. C-2069.)

On August 6 and August 11, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 306 bags and 18 bags of Madagascar Lima beans, remaining unsold in the original unbroken packages at Des Moines and Burlington, Iowa, respectively, alleging that the article had been shipped by Benjamin Moritz Co., New York, N. Y., February 16, 1920, and transported from the State of New York into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 15, 1920, the Farmers Grain & Milling Co., Des Moines, Iowa, claimant of the 306 bags of the product, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered as to this portion of the product, and it was ordered by the court that the product might be released to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the article be hand picked at the expense of said claimant under the supervision of this department, and that the portion of the product found unfit for human food be destroyed by the United States marshal. On November 17, 1920, no claimant having appeared for the 18 bags of the product, judgment of condemnation and forfeiture was entered with respect to the same, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8777. Adulteration of olives. U. S. * * * v. 17 Barrels of Ripe Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13189, I. S. Nos. 10201-t, 10202-t, S. No. W-642.)

On August 14, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 barrels of ripe olives, consigned by the California & Italian Products Co., San Francisco, Calif., remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped on or about April 28 and May 18, 1920, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable substance, to wit, moldy, musty, and rotten olives, and was unfit for human food.

Thereafter, on or about October 19, 1920, the case having come on for disposition and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8778. Misbranding of Chase's nerve pills. U. S. v. 12 Dozen Packages, 9½ Dozen Packages, and 8½ Dozen Packages of Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (E. & D. Nos. 13249, 13250, 13251 I. S. Nos. 5885-t, 5884-t, 5883-t. S. Nos. E-2484, E-2485, E-2486.)

On August 12, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages, 9½ dozen packages, and 8½ dozen packages of Chase's nerve pills, remaining unsold in the original unbroken packages at Pittsburgh, Pa., consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., alleging that the article had been shipped on or about June 15, May 3 and 12, and June 25, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes, ferrous carbonate, manganese, arsenic, and strychnine.

It was alleged in substance in the libels that the article was misbranded for the reason that certain statements, regarding the therapeutic or curative effects thereof, appearing on its label and in the circular accompanying it, falsely and fraudulently represented it to be effective as a remedy for nervous prostration, nervous headache, nervous dyspepsia, irregular heart action, dizziness and fainting, sleeplessness, to create new brain and nerve tissue and make it next to impossible for the following diseases and symptoms of diseases to set in, nervous prostration, exhaustion, depression, lack of energy, ambition, and nerve force, paralysis and locomotor [ataxia], diseased blood, female troubles, leucorrhea, whites, painful, profuse, or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, grip, and all diseases of the brain and nerves, and various other diseases mentioned in the circular, when, in truth and in fact, it was not.

On October 5, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8779. Misbranding of Pierce's Empress Brand Tansy Cotton Root Pennyroyal and Apioi Tablets. U. S. v. 21 Packages of Pierce's Empress Brand Tansy Cotton Root Pennyroyal and Apioi Tablets. Default decree of condemnation, forfeiture, and destruction. (E. & D. No. 13278. I. S. No. 5122-t. S. No. E-2675.)

On September 2, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 21 packages of Pierce's Empress Brand Tansy